

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Document # 11

U.S.C.A. # \_\_\_\_\_

U.S.D.C. # 07-CV-9466

JUDGE: DAB

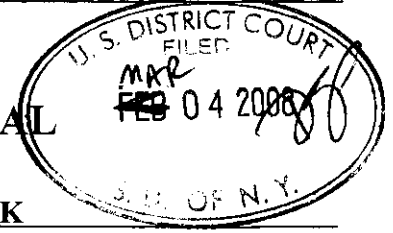
DATE: 3-4-2008

Bradley

-v-

The People of The State of NY

INDEX TO THE RECORD ON APPEAL



PREPARED BY (NAME): THOMAS R. PISARCZYK  
FIRM: U.S. DISTRICT COURT - SOUTHERN DISTRICT OF NEW YORK  
ADDRESS: 500 PEARL STREET, ROOM 370  
NEW YORK, NEW YORK 10007  
PHONE NO.: (212) 805 - 0636

DISTRICT COURT DOCKET ENTRIES -----

DOCUMENT DESCRIPTION	DOC. #
CLERK'S CERTIFICATE	
SEE ATTACHED LIST OF NUMBERED DOCUMENTS	

☒ Original Record

☐ Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.  
for the Second Circuit on the 4th Day of March, 2008.

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**Clerk's Certificate**

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 10, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

<u>Date Filed</u>	<u>Document Description</u>
_____	_____
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In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 4th Day of March In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232<sup>ND</sup> year.

J. Michael McMahon, Clerk

By \_\_\_\_\_  
Deputy Clerk

APPEAL, CASREF, CLOSED, HABEAS, PRO-SE

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:07-cv-09466-DAB-KNF**  
**Internal Use Only**

Bradley v. The People of The State of New York  
Assigned to: Judge Deborah A. Batts  
Referred to: Magistrate Judge Kevin Nathaniel Fox  
Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

Date Filed: 10/24/2007  
Date Terminated: 01/28/2008  
Jury Demand: None  
Nature of Suit: 530 Habeas Corpus (General)  
Jurisdiction: Federal Question

Date Filed	#	Docket Text
10/24/2007	<u>1</u>	PETITION FOR WRIT OF HABEAS CORPUS pursuant to 28 U.S.C. 2254. Document filed by Andy Bradley.(laq) (Entered: 10/26/2007)
10/24/2007		Magistrate Judge Kevin N. Fox is so designated. (laq) (Entered: 10/26/2007)
10/24/2007	<u>2</u>	ENDORSEMENT on Declaration in Support of Request to Proceed In Forma Pauperis, I.F.P. REQUEST IS GRANTED. (Signed by Judge Kimba M. Wood on 10/23/07) (laq) (Entered: 10/26/2007)
11/09/2007	<u>3</u>	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Habeas Corpus. Referred to Magistrate Judge Kevin Nathaniel Fox. (Signed by Judge Deborah A. Batts on 11/7/2007) (jmi) (Entered: 11/09/2007)
11/16/2007	<u>4</u>	REPORT AND RECOMMENDATIONS re: 1 Petition for Writ of Habeas Corpus filed by Andy Bradley; that in the circumstance of this instant case, the Court recommends that Bradley's application for a writ of habeas corpus be dismissed by the court, sua sponte. Objections to R&R due by 12/3/2007 (Signed by Judge Kevin Nathaniel Fox on 11/16/07) (pl) Modified on 11/19/2007 (Lancaster, Patricia). (Entered: 11/19/2007)
11/29/2007	<u>5</u>	Notice of Motion to OBJECT to 4 Report and Recommendations. Document filed by Andy Bradley. (dle) (Entered: 12/06/2007)
12/13/2007	<u>6</u>	APPLICATION to Appoint Counsel pursuant to 18 U.S.C. 3006(A)(g) (Habeas Corpus Petition). Document filed by Andy Bradley.(cd) (Entered: 12/19/2007)
12/18/2007		ORDER re: 4 Report and Recommendations. Petitioner shall mail to the Court's Pro Se Office any objections he has to the Report and Recommendation by January 22, 2008. No further extensions shall be granted. Set Deadlines/Hearing as to 4 Report and Recommendations :( Objections to R&R due by 1/22/2008) (Signed by Judge Deborah A. Batts on 12/17/07) (tro) (Entered: 12/20/2007)
01/25/2008	<u>8</u>	ADOPTION OF REPORT AND RECOMMENDATION: The Report and Recommendation of United States Magistrate Judge Kevin N. Fox dated 11/16/07, is approved, adopted and ratified by the Court. Petitioner's motion for an appointment of counsel is DENIED. The instant Petition for a writ of habeas corpus pursuant to 28 USC 2254 is hereby DISMISSED. As petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue. See 28 USC 2253, Lozada v. United States, 107 F. 3d 1011(2d Cir. 1997). The Court certifies pursuant to 28 USC 1915(a)(3) that any appeal from this order would not be taken in good faith. See Coppedge v. United States, 369 U.S. 438(1962). The Clerk of Court is directed to close the docket in this case. So Ordered. (Signed by Judge Deborah A. Batts on 1/24/08) (dle) (Entered: 01/28/2008)
01/28/2008		Transmission to Judgments and Orders Clerk. Transmitted re: 8 Order Adopting Report and Recommendations, to the Judgments and Orders Clerk. (dle) (Entered: 01/28/2008)
01/28/2008	<u>9</u>	CLERK'S JUDGMENT That for the reasons stated in the Court's Order dated January 24, 2008, the report is adopted; petitioners motion for an appointment of counsel is denied; and the petition for a writ of habeas corpus is dismissed; accordingly, the case closed; the Court finds that because petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue; the Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from the Order dated January 24, 2008 would not be taken in good faith. (Signed by J. Michael McMahon on 1/28/08) (ml) (Entered: 01/28/2008)
01/28/2008		Mailed notice of Right to Appeal to Pro Se Litigant(s): Andy Bradley. (ama) (Entered: 01/28/2008)
02/22/2008	<u>10</u>	NOTICE OF APPEAL from 9 Clerk's Judgment. Document filed by Andy Bradley. Copies mailed to attorney(s) of record: Attorney General, NYS. (tp) (Entered: 03/04/2008)
02/22/2008		Appeal Remark as to 10 Notice of Appeal filed by Andy Bradley. \$455.00 APPEAL FEE DUE. IFP REVOKED 1/24/08. COA DENIED 1/24/08. (tp) (Entered: 03/04/2008)
03/04/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 10 Notice of Appeal. (tp) (Entered: 03/04/2008)
03/04/2008		Transmission of Notice of Appeal to the District Judge re: 10 Notice of Appeal. (tp) (Entered: 03/04/2008)